

ASSEMBLY BILL

No. 1286

Introduced by Assembly Member Skinner

February 22, 2013

An act to amend Section 18796 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1286, as introduced, Skinner. Personal income tax: contributions: California Breast Cancer Research Fund.

The Personal Income Tax Law allows taxpayers, until January 1, 2018, to designate on their tax returns that a specified amount in excess of their tax liability be contributed to the California Breast Cancer Research Fund. The minimum contribution amount is adjusted each year to correct for inflation.

This bill would specify that for calendar years 2014 to 2017, inclusive, the minimum contribution shall be equal to the minimum contribution amount for the 2013 calendar year.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18796 of the Revenue and Taxation Code
- 2 is amended to read:
- 3 18796. (a) This article shall remain in effect only until January
- 4 1, 2018, and as of that date is repealed.
- 5 (b) (1) By September 1, 2006, and by September 1 of each
- 6 subsequent calendar year that the California Breast Cancer

1 Research Fund appears on a tax return, the Franchise Tax Board
2 shall do all of the following:

3 (A) Determine the minimum contribution amount required to
4 be received during the next calendar year for the fund to appear
5 on the tax return for the taxable year that includes that next calendar
6 year.

7 (B) Provide written notification to the University of California
8 of the amount determined in subparagraph (A).

9 (C) Determine whether the amount of contributions estimated
10 to be received during the calendar year will equal or exceed the
11 minimum contribution amount determined by the Franchise Tax
12 Board for the calendar year pursuant to subparagraph (A). The
13 Franchise Tax Board shall estimate the amount of the contributions
14 to be received by using the actual amounts received and an estimate
15 of the contributions that will be received by the end of that calendar
16 year.

17 (2) If the Franchise Tax Board determines that the amount of
18 contributions estimated to be received during a calendar year will
19 not at least equal the minimum contribution amount for the calendar
20 year, this article is repealed with respect to taxable years beginning
21 on or after January 1 of that calendar year.

22 (3) For purposes of this section, the minimum contribution
23 amount for a calendar year means two hundred fifty thousand
24 dollars (\$250,000) for the 1997 calendar year or the minimum
25 contribution amount adjusted pursuant to subdivision (c).

26 (c) ~~For~~ *Except as provided in subdivision (d)*, each calendar
27 year, beginning with calendar year 1998, the Franchise Tax Board
28 shall adjust, on or before September 1 of that calendar year, the
29 minimum contribution amount specified in subdivision (b) as
30 follows:

31 (1) The minimum contribution amount for the calendar year
32 shall be an amount equal to the product of the minimum
33 contribution amount for the prior calendar year multiplied by the
34 inflation factor adjustment as specified in paragraph (2) of
35 subdivision (h) of Section 17041, rounded off to the nearest dollar.

36 (2) The inflation factor adjustment used for the calendar year
37 shall be based on the figures for the percentage change in the
38 California Consumer Price Index that are received on or before
39 August 1 of the calendar year pursuant to paragraph (1) of
40 subdivision (h) of Section 17041.

1 *(d) For calendar years 2014 to 2017, inclusive, the minimum*
2 *contribution shall be equal to the minimum contribution amount*
3 *for the 2013 calendar year as adjusted pursuant to subdivision*
4 *(c).*

5 ~~(d)~~

6 *(e)* Notwithstanding the repeal of this article, any contribution
7 amounts designated pursuant to this article prior to its repeal shall
8 continue to be transferred and disbursed in accordance with this
9 article as in effect immediately prior to that repeal.

O